

**ENTERED**

September 27, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>In re:</b>	§	<b>Chapter 11 (Subchapter V)</b>
	§	
<b>FREE SPEECH SYSTEMS, LLC,</b>	§	<b>Case No. 22-60043</b>
	§	
<b>Debtor.</b>	§	
-----	§	
<b>In re:</b>	§	
	§	
<b>ALEXANDER E. JONES,</b>	§	<b>Case No. 22-33553</b>
	§	
<b>Debtor.</b>	§	

**JOINT STIPULATION AND AGREED ORDER RESOLVING DISTRIBUTION OF  
PLATINUM PRODUCTS SALES PROCEEDS**

WHEREAS, Free Speech Systems, LLC (the “Debtor” or “FSS”) and ELEVATED SOLUTIONS GROUP, LLC. (“ESG”) are parties to that certain Professional Services Agreement – IW Platinum Supplement Affiliate Program (the “FSS/ESG Agreement”), pursuant to which ESG provides certain services regarding the sale of IW Platinum Supplements through FSS’s sales channels; and

WHEREAS Alex Jones (“AEJ”) and ESG entered into that certain Professional Services Agreement – Inforwars Platinum Dietary Supplement Product Line (the “AEJ/ESG Agreement”), pursuant to which specified products ESG would provide services in connection with the acquisition, marketing, sale and fulfillment of three specific dietary supplements purchased and paid for by AEJ.

WHEREAS FSS terminated the FSS/ESG Agreement effective on April 17, 2023;

WHEREAS AEJ filed his *Motion for Entry of an Order Authorizing Rejection of Certain Executory Contracts* (the “Motion to Reject”) seeking to reject the AEJ/ESG Agreement, which Motion is opposed by ESG;

WHEREAS FSS as of April 17, 2023, FSS suspended disbursements of proceeds from the sale of Platinum Products pursuant to terms of the FSS/ESG Agreement;

WHEREAS FSS, AEJ and ESG disputed the allocation of the proceeds from the sale of Platinum products under the FSS/ESG Agreement and the AEJ/ESG Agreement (collectively the “Agreements”) and the rights of the parties following the termination of those Agreements; and

WHEREAS following extensive review of the distribution of sales proceeds generated from the sale of Platinum dietary supplements pursuant to the Agreements and negotiations between the parties, FSS, AEJ and ESG have reached agreement regarding disbursement of the proceeds generated from the sale of Platinum products under the Agreement to date and have also agreed to the sale of the remaining inventory of Platinum products<sup>1</sup> and the distribution of the proceeds generated from the sale of that remaining inventory.

NOW, THEREFORE, it is stipulated and agreed to by FSS, AEJ and ESG (collectively the “Parties”) and upon approval by the Bankruptcy Court, ordered that:

1. FSS has received proceeds from the sales of Platinum Products under the Agreements for the period from April 8, 2023, through August 20, 2023, in the total amount of \$605,532.76 (“Gross Sales Proceeds”).
2. The parties agree that the distribution of the Gross Sales Proceeds shall be One Hundred Five Thousand, Eight Hundred Twenty-four dollars and 24 cents (\$105,824.24) to be distributed to ESG; Three Hundred Thirty-Two Thousand, One Hundred Fifty-Six dollars and 84 cents (\$332,156.84) to be distributed to Jones;

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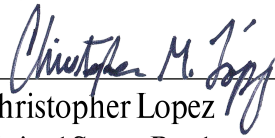
<sup>1</sup> Platinum products means those products identified in the Agreements (the “Platinum Products”). FSS directly purchases Platinum products from time to time that are not subject to the Agreements and are not implicated in this Stipulation.

and One hundred Sixty-Seven Thousand Five Hundred Twenty Three Dollars and 68 cents (\$167,523.68) to be retained by FSS.

3. FSS shall make the distributions directly to ESG and AEJ upon entry of this Stipulation by the Court.
4. FSS will resume sales of the remaining inventory Platinum Products through FSS sales channels under the existing terms of the Agreements, with the FSS/ESG Agreement modified to increase the permitted credit card processing fee to seven percent (7%) for Platinum Product sales after August 21, 2023.
5. FSS will make distributions directly to ESG and AEJ for Platinum Product sales on a weekly basis and shall provide AEJ and ESG weekly reports reflecting sales, related costs and expenses and the resulting distribution to the Parties.
6. The Parties agree that AEJ will not reinvest his distributions in additional Platinum Product sales and the agreement of the Parties in this Stipulation shall terminate upon the sale of the remaining Platinum Product inventory to a point that the continued listing of the Platinum Product on FSS's sales channels is no longer economically justifiable as may be agreed to by the Parties.

The Agreement of the Parties set forth in this Stipulation shall be in full satisfaction of any and all claims the Parties may have among themselves related to the distributions provided for in this Stipulation. The Parties otherwise retain all rights and claims arising from the performance of the agreements contained in this Stipulation.

Signed: September 27, 2023

  
\_\_\_\_\_  
Christopher Lopez  
United States Bankruptcy Judge

STIPULATED AND AGREED ON September 20, 2023, BY AND BETWEEN:

CROWE & DUNLEVY, P.C.

By: /s/ Vickie L. Driver

Vickie L. Driver

State Bar No. 24026886

Christina W. Stephenson

State Bar No. 24049535

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ATTORNEYS FOR ALEXANDER E. JONES

LAW OFFICES OF RAY BATTAGLIA, PLLC

By: /s/ Raymond W. Battaglia

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ATTORNEY FOR FREE SPEECH SYSTEMS, LLC

WALKER & PATTERSON, P.C.

By: /s/ Johnie Patterson

Johnie Patterson

State Bar No. 15601700

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Houston, TX 77208

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Email: jjp@walkerandpatterson.com

ATTORNEY FOR ELEVATED SOLUTIONS GROUP, LLC

JOINT STIPULATION AND AGREED ORDER

United States Bankruptcy Court  
Southern District of Texas

In re:  
Alexander E. Jones  
Official Committee Of Unsecured Creditor  
Debtors

Case No. 22-33553-cml  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0541-4  
Date Rcvd: Sep 27, 2023

User: ADIuser  
Form ID: pdf002

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Total Noticed: 20

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 29, 2023:**

Recip ID	Recipient Name and Address
db	Alexander E. Jones, c/o 2525 McKinnon Street, Suite 425, Dallas, TX 75201
aty	+ Anna Kordas, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-1000, UNITED STATES 10036-6730
aty	+ David Franklin Hill, IV, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-6730
aty	+ Richard A. Cochrane, Caldwell Cassidy Curry PC, 2121 N. Pearl St., Ste. 1200, Dallas, TX 75201-2494
aty	+ Theodore James Salwen, Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036-6730
cr	+ Elevated Solutions Group, LLC, c/o Walker & Patterson, P.C., P.O. Box 61301, Houston, TX 77208-1301
cr	+ Francine Wheeler, Cain & Skarnulis PLLC, Ryan E. Chapple, 303 Colorado Street, Suite 2850 Austin, TX 78701-0137
cr	+ Free Speech Systems, LLC, Free Speech Systems, LLC, c/o Patrick Magill, 3019 Alvin Devane Blvd., Ste 300 Austin,, TX 78741-7417
cr	#+ Leonard Pozner, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774
cr	#+ Marcel Fontaine, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin, Suite 2700 Houston, TX 77002-6774
cr	#+ Neil Heslin, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774
cr	+ Reeves Law, PLLC, 702 Rio Grande St., Suite 203, Austin, TX 78701-2720
cr	+ Richard M. Coan, c/o Cain & Skarnulis PLLC, 303 Colorado Street, Suite 2850, Austin, TX 78701-0137
cr	#+ Scarlett Lewis, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774
cr	+ Security Bank of Texas, P.O. Box 90, Crawford, Tx 76638-0090
cr	#+ Veronique De La Rosa, c/o McDowell Hetherington LLP, Attention: Avi Moshenberg, 1001 Fannin Street, Suite 2700 Houston, TX 77002-6774

TOTAL: 16

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: creditcardbkcorrespondence@bofa.com	Sep 27 2023 20:02:00	Bank of America N.A., P.O. BOX 31785, Tampa, FL 33631-3785
cr	+ Email/Text: mbrimage@akingump.com	Sep 27 2023 20:03:00	Official Committee Of Unsecured Creditors, c/o Marty L. Brimage, Jr., Akin Gump Strauss Hauer & Feld LLP, 2300 N. Field Street, Suite 1800, Dallas, TX 75201-4675
cr	+ Email/Text: lemaster@slollp.com	Sep 27 2023 20:03:00	PQPR Holdings Limited, LLC, c/o Streusand Landon Ozburn & Lemmon LLP, attn: Stephen Lemmon, 1801 S. Mopac Expressway, Suite 320, Austin, TX 78746-9817
cr	+ Email/Text: BKECF@traviscountytexas.gov	Sep 27 2023 20:03:00	Travis County, c/o Jason A. Starks, P.O. Box 1748, Austin, TX 78767-1748

TOTAL: 4

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
aty		Akin Gump Strauss Hauer & Feld LLP

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cr	Carlee Soto Parisi
cr	Carlos M Soto
intp	David Ross Jones
cr	David Wheeler
cr	Donna Soto
cr	Ian Hockley
cr	Jacqueline Barden
cr	Jennifer Hensel
cr	Jillian Soto-Marino
cr	Mark Barden
cr	Nicole Hockley
cr	Public Storage
cr	Robert Parker
cr	William Aldenberg
cr	William Sherlach

TOTAL: 16 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

**I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 29, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 27, 2023 at the address(es) listed below:**

<b>Name</b>	<b>Email Address</b>
Avi Moshenberg	on behalf of Creditor Leonard Pozner avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Marcel Fontaine avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Plaintiff Veronique De La Rosa avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Veronique De La Rosa avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Neil Heslin avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Creditor Scarlett Lewis avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Plaintiff Estate of Marcel Fontaine avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Plaintiff Neil Heslin avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Plaintiff Scarlett Lewis avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Avi Moshenberg	on behalf of Plaintiff Leonard Pozner avi.moshenberg@mhllp.com patricia.flores@mhllp.com
Bennett Greg Fisher	

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on behalf of Creditor Reeves Law PLLC bradley.reeves@pillsburylaw.com

Christina Walton Stephenson

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elisa.weaver@crowedunlevy.com;ecf@crowedunlevy.com

Christina Walton Stephenson

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Elizabeth Carol Freeman

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Eric Henzy

on behalf of Plaintiff Richard M. Coan ehenzy@zeislaw.com

Ha Minh Nguyen

on behalf of U.S. Trustee US Trustee ha.nguyen@usdoj.gov

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Jason Starks

on behalf of Creditor Travis County bkecf@traviscountytexas.gov

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on behalf of U.S. Trustee US Trustee jayson.b.ruff@usdoj.gov

Jennifer Jaye Hardy

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Jennifer Jaye Hardy

on behalf of Plaintiff Estate of Marcel Fontaine jhardy2@willkie.com mao@willkie.com

Jennifer Jaye Hardy

on behalf of Creditor Leonard Pozner jhardy2@willkie.com mao@willkie.com

Jennifer Jaye Hardy

on behalf of Plaintiff Veronique De La Rosa jhardy2@willkie.com mao@willkie.com

Jennifer Jaye Hardy

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Nicholas Lawson	on behalf of Creditor Leonard Pozner nick.lawson@mhllp.com patricia.flores@mhllp.com
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Ryan E Chapple	on behalf of Creditor William Aldenberg rchapple@cstrial.com apprentice@cstrial.com
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Ryan E Chapple	on behalf of Plaintiff William Sherlach rchapple@cstrial.com apprentice@cstrial.com
Ryan E Chapple	on behalf of Creditor Donna Soto rchapple@cstrial.com apprentice@cstrial.com

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